(4)

CHOOK

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition NO. 3461 /2003

PETITIONER : Ramratan Sahu, aged about 52 Years, S/o.Jairam Sahu, Occupation Agriculturist, R/o Village Bodra, P.S, Gurur, Distt. Durg (C.G)

VERSUS

RESPONDENTS :1. The State of Chhattisgarh Through Secretary Department of Home D.K.S. Bhawan, Raipur (C.G.)

2. The Director General Of Police Police Head Quarter, Raipur (C.G.)

3. Senior Superintended of Police Durg Distt. Durg (C.G.)

4. Station House Officer, P.S. Gurur, Distt. Durg (C.G.)

5. Station House Officer, P.S. City Kotwali, Distt. Dhamtari (C.G.)

6. Khilanand Aged about 33 Yrs. S/o Girdhari,

7. Smt. Chameli bai, aged 30 Yrs. W/o Khilanand

P. R. No. 3226/03
Presented by Shri D.N. Dewangan
dated 13.10.03

RECEIVED-COPY
Clerk to A.G. Bilaspur 13/10/03

उपथ आयुक्त
एस. के. शुक्ला
बिलासपुर तहसील कोर्ट
13/10/03

8. Smt. Surajbai Aged 52 Years,
W/o Girdhari
No. 6 to 8 are R/o Vill.Bodra,
P.S, Gurur, Distt. Durg (C.G)

WRIT PETITION U/A 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3461/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	19.01.2004 Shri D.N. Prajapati, counsel for the petitioner. Shri Praveen Das, Panel Lawyer for the State/respondents 1 to 5. Heard both the counsel. The main grievance of the petitioner in this petition is that his son namely, Mukesh Kumar was assaulted by respondents 6 to 8 with Lathi & Hasiya and on account of the injuries received by Mukesh Kumar, he was admitted to the Government Hospital, Dhamtari, where he succumbed to the injuries sustained by him. The petitioner lodged a complaint before respondent No.4 and respondent No.4 had not taken any action. Respondent No.4 registered the case against the deceased instead of registering the case against respondents 6 to 8. The petitioner made several complaints, but respondent No.3 had given an enquiry report stating that the death of the deceased was due to consumption of poison and there is no need for further investigation and closed the case. The petitioner made a complaint to respondent No.3 for further investigation. Eyewitnesses were also summoned and they have filed the affidavit, but no action is being taken. Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner has got equally, efficacious remedy available to him. If he is not satisfied with the investigation of the Police he is within his right to file a complaint before the competent authority under Section 200 of the Cr.P.C. and the competent Court can either himself enquire into the complaint as per the provisions of Section 200 of the Cr.P.C. and if the concerned Court thinks fit can send the case for	

Bias

Date

(41)

22-1-C---78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3461/ सन् 2003

आदेश पत्रक (पूर्वानुबद्ध)

दिनांक एवं आदेश क्रमांक	हस्ताक्षर सहित आदेश - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

registration and investigation to the concerned Police Station under Section 156 (3) of the Cr.P.C. In view of the above circumstances, since equal efficacious remedy is available to the petitioner, the petitioner can approach the appropriate Forum.

With the above observations the petition stands disposed of.

In view of this order, M.(W.)P.No.3149/2003 and I.A.No.9978/2003 also stand disposed of.

Sd/-
L.C.BHADOO
Judge

Soma

Bilaspur

Dated :-